



4-20-05

1646

Attorney's Docket No.: 17083-003002 / 1227B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Carlos F. Barbas III et al.

Serial No. : 09/586,625

Filed : June 2, 2000

Cust. No. : 20985

Title : LIGAND ACTIVATED TRANSCRIPTIONAL REGULATOR PROTEINS

Art Unit : 1646

Examiner : Joseph F. Murphy

Conf. No. : 6568

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith is an Election and Preliminary Amendment in Response to the to the Office Action, mailed November 1, 2004, (10 pages); and a check (\$2160.00) for the requisite fee for a five-month extension of time; and a return postcard. If a Petition for extension of time is needed, this paper is to be considered such Petition.

Extension fee for a five-month extension of time:

By a large entity.....\$2160.00

The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 17083-003002/1227B

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04/20/2005 17083-003002 09586625

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Date of Deposit April 18, 2005

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie Seidman



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P.O. Box 1450
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ELECTION AND PRELIMINARY AMENDMENT

Dear Sir:

Responsive to the Office Action, mailed November 1, 2004, setting forth a Requirement for Restriction, Applicant elects, without traverse, the sequence of nucleotides set forth in SEQ ID 1, which encodes a fusion protein that contains a DBD with specificity for at least nine nucleotides, and the encoded fusion protein. All pending claims, claims 1-3, 5-35, 37-42, 44, 46 and 69-89, read on or otherwise include the elected fusion protein or encoding nucleic acid molecule. It is understood that all pending claims, claims 1-3, 5, 6, 8, 10-35, 37-42, 44, 46, 47, 69-89, are linking claims. Entry of this preliminary amendment and consideration of the following remarks are respectfully requested.

Amendments of the claims are reflected in the listing of the claims, which begin on page 2 of this paper.

Remarks begin on page 9 of this paper.

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Stephanie Seidman